

6080/Reissue/DIV/tat

"PATENT APPLICATION"



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

OSAMU NAKAMURA

U.S. Serial No.

Filed: July 3, 2003

Prior Application:

USSN 10/233,546

Group Art Unit 1763

J. Lund, Examiner

SUSCEPTOR FOR VAPOR-PHASE
GROWTH APPARATUS

Alexandria, Virginia
July 3, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

37 CFR §1.53(b) DIVISIONAL APPLICATION

Dear Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of pending prior reissue application Serial No. 10/233,546 filed on September 4, 2002 of Osamu Nakamura for "Susceptor For Vapor-Phase Growth Apparatus". Enclosed is a complete copy of the prior reissue application papers including the declaration as originally filed in application Serial No. 10/233,546 and the Information Disclosure Statement and Preliminary Amendment. Applicant hereby requests incorporation of the prior application by reference.

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior reissue application, including the

declaration originally filed, and Information Disclosure Statement originally filed. The Information Disclosure Statement is newly signed.

Add in this application, in accordance with the enclosed Preliminary Amendment, claims 3-6 of the prior reissue application before calculating the filing fee. Further, restriction was required in parent application Serial No. 10/233,546 between Group I, claims 1-2 and Group II, claims 3-6. Accordingly, prior to calculation of the filing fee, please cancel claims 1-2 herein. Examination is to be of claims 3-6.

The filing fee is calculated as follows:

Claims in Patent	For	Number filed in Reissue Application	Number Extra	Non-Small Entity Rate	Fee
2	Total Claims	4	0	x\$18	\$ 0.00
1	Independent Claims	1	0	x\$84	\$ 0.00
BASIC FEE					\$750.00
TOTAL FILING FEE					\$750.00

A check in the amount of \$750.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-3690 of the undersigned attorney. A duplicate copy of this sheet is enclosed.

Amend the specification by inserting before the first line the sentence: -- This is a division of application Serial No. 10/233,546 filed September 4, 2002 -- .

Patentee surrendered the Original Letters Patent No. 6,129,047 on October 10, 2000 in prior reissue Application Serial No. 10/233,546.

U.S. Patent No. 6,129,047 and the prior application are assigned of record to Sumitomo Metal Industries, Inc., 5-3 Kitahama, 4-Chome, Chuo-ku, Osaka-shi, Osaka, Japan 541-0041 at Reel 010095, Frame 0737, recorded July 30, 1999. A Statement Under 37 CFR 3.73(b) as filed in the parent Serial No. 10/233,546 on October 30, 2002 is also enclosed.

The power of attorney in the prior application is to Mary J. Breiner, Registration No. 33,161, 115 North Henry Street, P.O. Box 19290, Alexandria, Virginia 22320-0290; telephone (703) 684-6885. The power appears in the original papers in the prior application.

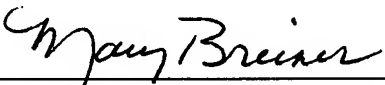
The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

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[Based on USSN 10/233,546]

both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

OSAMU NAKAMURA

By: 
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Attachments - Prior Application Papers w/Drawings
- Application Data Sheet
- Information Disclosure Statement w/Reference
- Preliminary Amendment
- Statement Under 37 CFR 3.73(b)
- \$750 Filing Fee (Check)